

Amendment No. 1 to SB2814

Bell  
Signature of Sponsor

**AMEND Senate Bill No. 2814**

**House Bill No. 1962\***

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 31-2-103, is amended by designating the existing language as subsection (a) and adding the following subsections:

(b) A person may file a petition to establish the heirs of an intestate decedent for the limited purpose of establishing title to real property or personal property and without the necessity of issuing letters of administration or otherwise proceeding with administration of the decedent's estate. The petition must be in the form set forth in § 30-1-117 and must set forth the information prescribed in § 30-1-117(a)(1)–(4).

(c) A petition filed pursuant to subsection (b) must be filed under oath and a copy of the petition must be personally delivered or mailed to every heir at law of the decedent identified in the petition not less than thirty (30) days prior to entry of an order based on the petition. If the address of an heir at law is not known, then notice to that heir must be given by publication in the same manner as prescribed in § 21-1-204. If the name of an heir is not known, then notice by publication must be given to all unknown heirs of the decedent in the same manner as prescribed in § 21-1-204. The person filing the petition must certify to the court compliance with the notice requirements of this subsection (c).

(d) A person who is or claims to be an heir at law of the decedent may object in writing to the grant of a petition filed pursuant to this section. A person who is or claims to be a legatee, devisee, or distributee of a portion of the decedent's estate pursuant to a document admissible to probate as the decedent's last will and testament pursuant to

title 32 may object in writing to the grant of a petition filed pursuant to this section; provided, however, that the person shall, contemporaneously with the person's objection, tender to the court the original document or a copy of the original document entitled to probate as a copy of a lost will. If objection is made to a petition filed pursuant to this section, then the court shall conduct a hearing and may grant relief as appropriate under the circumstances.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.